

5/23/77 [4]

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100 programs
many agencies
" definition
Prevent - cure
New program
5t screen poor children
Immunize 65 → 90%
Newer independent
grow - learn
Coop & non-handicapped
Max Cleland
Miss Julia
Extra dimension
Your recommendation
Extra dimension

— 1st Conference
36 Million
Big nat - states Δ
Labor - industry
Human rights → Handicapped
Too long: Ed - Empl -
Bldgs - streets - Xport
Comm
"Racial discrim over"
Share - freedom - benefits
Title V - Rehab Act '73
Arch/Xport barrier -
Trans bus
Sect 504 - Programs
Jobs - barriers
Free public school
regular classroom
Enforced
Califano

Notes from the White House Conference on the
Handicapped
5/23/77

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THE PRESIDENT HAS SEEN.

MAY 23, 1977

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MEMORANDUM

TO : The President
FROM: Jody Powell
RE : U. S. News & World Report Interview

IN ADDITION TO EMPHASIS ON THE PATIENT, WELL-THOUGHT-OUT NATURE OF OUR APPROACH TO FOREIGN POLICY AND THE SOVIET UNION IN PARTICULAR, THIS INTERVIEW GIVES YOU A CHANCE TO MAKE YOUR POINTS ON THE BUDGET TO A POTENTIALLY SYMPATHETIC AUDIENCE.

YOUR BRIEF COMMENTS THIS MORNING AT THE STAFF MEETING ON BUDGET CONCERNS WERE GOOD. IN ADDITION, YOU MAY WANT TO CONSIDER NOT KNOCKING THE CONGRESS DIRECTLY; BUT INSTEAD EXPRESSING YOUR UNDERSTANDING OF THE GREAT PRESSURE THAT IS EXERTED ON INDIVIDUAL MEMBERS AND YOUR WILLINGNESS TO TAKE THE POLITICAL HEAT FOR HOLDING THE LINE, ESTABLISHING PRIORITIES, AND SAYING "NO" WHEN NECESSARY -- EVEN TO EXPENDITURES THAT HAVE GREAT POLITICAL APPEAL.

THE LINE ABOUT NOT BEING ABLE TO DO EVERYTHING HAS GENERALLY BEEN WELL-RECEIVED BY THE PUBLIC AND SHOULD BE REPEATED WHENEVER APPROPRIATE. RECENT COST OF LIVING FIGURES MAKE THIS THRUST EVEN MORE ACCEPTABLE.

IN THIS CONTEXT, YOU SHOULD EMPHASIZE AGAIN YOUR
CONVICTION THAT THE ONLY REASONABLE ECONOMIC APPROACH IS A
BALANCED ATTACK ON ~~BUSINESS~~ ^{UNEMPLOYMENT} AND INFLATION.

FINALLY, YOU NEED TO HIT HARD ON THE CONTINUED
IMPORTANCE OF ENERGY LEGISLATION. RAISE AGAIN THE SPECTER
OF ECONOMIC AND SOCIAL CHAOS IF WE CONTINUE TO LIVE IN A
DREAM WORLD.

IT IS ALWAYS EASIER TO MAKE AN ARGUMENT TO DO NOTHING
THAN IT IS TO ACCEPT THE RESPONSIBILITY FOR COMING UP WITH
A COMPREHENSIVE APPROACH. YOU HAVE ACCEPTED THAT RESPONSIBILITY
AND ARE PREPARED TO ACCEPT THE INEVITABLE NEGATIVE CRITICISM
WHICH IS DEVOID OF CONSTRUCTIVE ALTERNATIVES.

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JLP:cs

THE WHITE HOUSE
WASHINGTON

May 23, 1977

Frank Moore

The attached was returned in the
President's outbox and is forwarded
to you for your information.

Rick Hutcheson

Re: Senator Harrison Williams

THE WHITE HOUSE
WASHINGTON

ACTION			
FYI			
		MONDALE	ENROLLED BILL
		COSTANZA	AGENCY REPORT
		EIZENSTAT	CAB DECISION
		JORDAN	EXECUTIVE ORDER
		LIPSHUTZ	Comments due to
X		MOORE	Carp/Huron within
		POWELL	48 hours; due to
		WATSON	Staff Secretary
			next day

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

	ARAGON		KRAFT
	BOURNE		LANCE
	BRZEZINSKI		LINDER
	BUTLER		MITCHELL
	CARP		POSTON
	H. CARTER		PRESS
	CLOUGH		B. RAINWATER
	FALLOWS		SCHLESINGER
	FIRST LADY		SCHNEIDERS
	GAMMILL		SCHULTZE
	HARDEN		SIEGEL
	HOYT		SMITH
	HUTCHESON		STRAUSS
	JAGODA		WELLS
	KING		VOORDE

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

May 23, 1977

done
J

MEMORANDUM TO JODY POWELL

FROM:

FRANK MOORE

FM

SUBJECT:

RECEPTION - 5:00 p.m.

I understand there is an open press coverage at 5:00 p.m. in the Rose Garden for a reception honoring fund raisers for the Kennedy Center. Senator Harrison "Pete" Williams, Jr. of New Jersey, who is on the Board, was instrumental in setting this up; and if an opportunity arises for the President to say anything or if a group shot is made, Pete Williams should out rank anyone else at the event--including Roger Stevens.

→ MR. PRES. -

PERHAPS YOU COULD GET
HIM TO STAND w/ YOU.
JLP

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THE WHITE HOUSE
WASHINGTON

May 23, 1977

Z. Brzezinski

The attached was returned in
the President's outbox and is
forwarded to you for your
information .

Rick Hutcheson

Re: Films On Saudi Arabia

THE WHITE HOUSE
WASHINGTON

ACTION	FYI
	MONDALE
	COSTANZA
	EIZENSTAT
	JORDAN
	LIPSHUTZ
	MOORE
	POWELL
	WATSON

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

	ARAGON
	BOURNE
X	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	GAMMILL
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	HOYT
	HUTCHESON
	JAGODA
	KING

	KRAFT
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	MITCHELL
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	B. RAINWATER
	SCHLESINGER
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	SCHULTZE
	SIEGEL
	SMITH
	STRAUSS
	WELLS
	VOORDE

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

3078
INFORMATION
May 20, 1977

THE PRESIDENT HAS SEEN.

MEMORANDUM FOR THE PRESIDENT

FROM: ZBIGNIEW BRZEZINSKI
SUBJECT: Films on Saudi Arabia

25.

The NSC Staff has found two films which you might find interesting to watch prior to your meeting with Crown Prince Fahd next Tuesday. The first, "Saudi Arabia--The Oil Revolution," is an excellent recent documentary produced by a British film team. It gives a thirty-minute overview of Saudi history, culture, religion and traditions, including some exclusive footage of women's role. It is accurate and timely. The film has been provided to the White House Projectionist and is available for viewing at your request.

A second film, "The Island of Allah," is currently on its way from Saudi Arabia. It is a classic documentary on the conquest of the Arabian Peninsula by King Abd al-Aziz, Fahd's father and the founder of the Saudi dynasty. This film stars Isa Sabbagh, your translator in Geneva and with Fahd, in the role of a bedouin guide and also as narrator. The film was produced by ARAMCO many years ago and is now rare. Isa is bringing his personal copy of the film with him on Saturday, and it should be available for viewing on Saturday night or Sunday.

done
J

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EYES ONLY

THE WHITE HOUSE
WASHINGTON

May 23, 1977

The Vice President
Midge Costanza
Stu Eizenstat
Hamilton Jordan
Bob Lipshutz
Frank Moore
Jody Powell
Jack Watson

Re: Cabinet Summaries

The attached summaries were returned in the President's outbox and are forwarded to you for your personal information.

Rick Hutcheson

Attachments:
Reports from Treasury, Labor,
Interior, HUD, Agriculture,
HEW, Transportation, Justice,
CEA.

THE WHITE HOUSE
WASHINGTON

eyes only

ACTION	FYI

MONDALE
COSTANZA
EIZENSTAT
JORDAN
LIPSHUTZ
MOORE
POWELL
WATSON

ENROLLED BILL
AGENCY REPORT
CAB DECISION
EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

	FOR STAFFING
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	IMMEDIATE TURNAROUND

ARAGON
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B. RAINWATER
SCHLESINGER
SCHNEIDERS
SCHULTZE
SIEGEL
SMITH
STRAUSS
WELLS
VOORDE



THE PRESIDENT HAS SEEN.

THE SECRETARY OF THE TREASURY
WASHINGTON

May 20, 1977

1977 MAY 20 PM 2 53

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Highlights of Treasury Activities

1. ENERGY

On May 16 I testified before the House Ways and Means Committee on the Administration's energy program. The hearings continue, and we are seeing as many Committee members as possible to get a better reading on which components of the bill may run into trouble. I will be appearing today at the energy hearings of the Joint Economic Committee.

2. COUNTERCYCLICAL LEGISLATION

We faced rough going in the House during reauthorization of the countercyclical legislation, since the House had in effect been bypassed on the legislation in the last Congress. We worked hard and successfully with Members before both the vote in the Government Operations Committee (which finally went our way, 23-19) and the House floor vote, where the Committee bill was agreed to by a vote of 243-94. Speaker O'Neill and Frank Moore and his staff all gave us vital support, and I would also particularly mention the efforts of Representative Jenrette, a freshman Member from South Carolina. Later the Senate receded from the countercyclical provision Ed Muskie had added and concurred in the House provisions, and the way was open for your signature later in the week.

3. BLUMENTHAL TRAVEL

I am leaving tomorrow (Saturday) morning for Tokyo, primarily to address the closing session of the International Monetary Conference. It will also provide me with an opportunity to follow up on the London Summit Conference. I plan to see Prime Minister Fukuda, Finance Minister Boh and others but will keep my visit in low key. I will be back in Washington late Thursday, May 26. The following Sunday, May 29, I leave for three days in Guatemala to attend the annual meeting of the Inter-American Development Bank.

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4. NEW YORK CITY FINANCES

On May 17 I testified on New York City problems at oversight hearings of the Senate Banking Committee. I told them that the fiscal 1978 city budget appeared close to balance, though we were reserving our decision for now. Commencement of the third year of the Seasonal Loan Program on July 1 is contingent by law on a balanced budget. We remain unsure whether New York City can finance all its own needs after June 1978. If it appears they cannot, we will wish to propose extension of the present legislation.

5. INTERNATIONAL FINANCIAL INSTITUTIONS

The Senate Foreign Relations Committee has reported the IFI authorization bill, with all of our requested authorization levels plus an unsought \$150 million for the African Development Fund effective in fiscal 1979. The Committee also adopted human-rights language proposed by Senators Humphrey and Case which gives us considerable latitude in pursuing human-rights objectives through the international banks. However, Senators Abourezk and Hatfield will offer a floor amendment to substitute Representative Badillo's language adopted on the House floor earlier. The outcome remains uncertain. In the Senate Appropriations Committee, we are continuing to consult with the Inouye Subcommittee prior to markup, now projected for late May or early June. Inouye and others remain concerned that we lower the IDA V level. In the House, the Appropriations Subcommittee has just begun markup of the IFI bill. Your talk with Roybal on the California trip and a breakfast meeting I held with a number of Members on Tuesday have helped give us considerable Subcommittee support, although we will face amendments on human rights and probably Vietnam.

6. FAHD'S VISIT

I hope you will raise with Prince Fahd the need for a firm Saudi commitment for Saudi participation in the "Witteveen Facility" of around SDR 3 billion (\$3.5 billion). The IMF membership has endorsed the idea of establishing this "Facility" to increase the resources of the IMF by \$10 to \$12 billion, through lines of credit to the IMF by OPEC countries and strong industrial countries on a 50/50 shared basis. Witteveen, the IMF Managing Director, originally sought a Saudi commitment of SDR 4 billion, but has indicated he would accept SDR 3 billion. Treasury is providing a briefing paper and talking points on this for your briefing book. In addition, Under Secretary Solomon will be meeting with the Saudi Finance Minister Monday evening. We will report further developments.

7. TAX REFORM

As I promised you at our Wednesday meeting, we will prepare two alternative approaches for your review. I fully appreciate the need to "stay loose" for now and to avoid any irrevocable decisions. As agreed, we will be in touch with Chairman Ullman and Senator Long to seek their views on timing.

8. VANDALISM ON MEXICAN BORDER

Customs reports an increasing incidence of vandalism by groups of youths on the Mexican side of the border near San Ysidro, California. Cars have been pelted with rocks and pedestrians assaulted. GSA has stationed armed guards in the border area, and Customs has asked Mexican authorities to do what they can to curtail the disturbances.

9. IRS TEST IN ATLANTA

IRS is conducting a test in Atlanta which may save time and expense for small taxpayers involved in appeals. Until now, taxpayers unable to reach agreement at the first appeals level have had to return at a later date if they wish to appeal to the next level. Under the test procedures, taxpayers in appropriate cases are offered an interview with an appeals officer within an hour after conclusion of the first-level conference.

M. Le

W. Michael Blumenthal

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

THE PRESIDENT HAS SEEN.

1977 MAY 20 PM 4 43

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May 20, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: SECRETARY OF LABOR, Ray Marshall *RM*

SUBJECT: Major Departmental Activities - May 16-20

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

As you know, Assistant Secretary Eula Bingham and I announced a new enforcement strategy for OSHA at a May 19 press conference. The strategy has two important parts. One is to stress preventing health hazards and de-emphasize detailed and petty safety requirements. The other is to focus enforcement on high-risk industries and, as a result, lessen the burden on small business. The OSHA press conference received wide coverage, including front-page stories in the Washington Post and the Washington Star.

LABOR MANAGEMENT SERVICES ADMINISTRATION (LMSA)

Coal

As you know, the Mine Workers will be holding their election on June 14. It is impossible to predict a winner in the three-way race. We have, at various points, received requests from each of the three candidates to become involved in supervising the election. Under the law, we can only act on requests, prior to the election, which come from the union tellers who actually run the election. Although we have offered to provide consultative services to the tellers, their attorney has refused this aid. This situation almost guarantees that there will be widespread charges of violating the Landrum-Griffin Act after the election. An investigation of these charges would not be completed until late summer and, during this period, there will be the danger of politically motivated

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wildcat strikes. I have sent you a detailed background memorandum on the coal situation.

Long Island Railroad

I have sent you a memo on the danger of a strike on the Long Island Railroad which would affect 100,000 daily commuters to New York City. We are waiting for your views on whether you would want to appoint an Emergency Board to recommend terms of settlement if other means of settling the dispute fail. As you know, we favor letting the strike run its course because we feel that the appointment of an Emergency Board would have a detrimental effect on other railroad negotiations scheduled this year.

Eastern Airlines

Flight attendants, represented by the Transport Workers Union, may strike Eastern Airlines on June 5. Eastern president Frank Borman has contacted me in an effort to involve us in settling the dispute. My view is that such involvement would be premature. We are, however, following the situation closely.

WELFARE REFORM

On May 18, I spoke before the National Conference on Social Welfare in Chicago. In that speech, on welfare reform, I tried to respond to some of the concerns raised by members of the Senate Finance Committee during my testimony last week. I stressed our ability to create the jobs needed under the welfare reform proposal. You should have received a memo from Secretary Califano on welfare reform which incorporates my views, as well. As soon as we have your reaction, we will begin work on preparing appropriate legislation.

EMPLOYMENT AND TRAINING--ECONOMIC STIMULUS PACKAGE

Public Service Jobs

We have moved extremely rapidly to distribute the funds for public service jobs that were contained in the appropriations bill you signed May 13. That same day, telegrams were sent to all the local prime sponsors authorizing them to begin spending the money. In addition,

the regulations covering the expansion of the public service jobs program became effective that same day. We have set up a special weekly monitoring system to follow the progress of the jobs program. We will keep you informed on how things develop.

Youth Employment and Training Legislation

The House passed its version of the Youth bill on May 16. Floor action on the Senate version is expected on May 25. A conference committee, to reconcile the two versions, will meet right after the Memorial Day recess.

Veterans Employment

Project HIRE--As you know, the Steering Committee for the HIRE program held its first meeting at the White House on May 19. A larger meeting, designed to generate increased support for this program in the business community, will be held at the White House sometime in June. We are working with your staff to select a final date.

Mora Appointment--With your approval, we announced this week that Roland Mora would be the new Deputy Assistant Secretary of Labor for Veterans Employment. Mora is a disabled Vietnam veteran of American Indian descent.

LABOR LAW REFORM

Early next week, I will be forwarding to you a decision memorandum on proposed labor law reforms. This memorandum will be based on our assessment of the AFL-CIO position, evaluation of pending legislation in Congress and our own feelings on the issue. I am trying to schedule a meeting with you late next week to discuss this memorandum.

INVENTORY OF LAWYERS

In response to a request from Attorney General Bell, who was responding to your directive, we have submitted an inventory of lawyers in the Labor Department to the Justice Department. The report indicated that we employ 490 full-time attorneys--420 in the Solicitor's office and 70 in the

Department's adjudicatory bodies. In all, lawyers represent 3.1 percent of the Department's employees.

MANAGEMENT ISSUES

We have submitted memoranda to the Office of Management and Budget on Reorganization, Paperwork Reduction, Advisory Committees and Employment Ceilings. Although I met with Harrison Wellford on April 20, we have not received any formal responses on any of these issues from OMB. This backlog is obviously interfering with our Departmental planning. We have not been told how the Department will work with your Reorganization Task Force. Nor, do we know how we will be affected by the reorganization of the Federal government's civil rights programs.

INTERNATIONAL LABOR ORGANIZATION (ILO)

On Friday, May 20, 1977 I chaired a Cabinet level committee meeting on the ILO. This meeting was held to make final preparations for the June ILO conference in Geneva. You will shortly receive a memo from me on several ILO issues.



THE SECRETARY OF THE INTERIOR
WASHINGTON

May 20, 1977

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THE PRESIDENT HAS SEEN.

MEMORANDUM TO THE PRESIDENT

From: The Secretary of the Interior

Subject: Major Topics for the Week of May 16

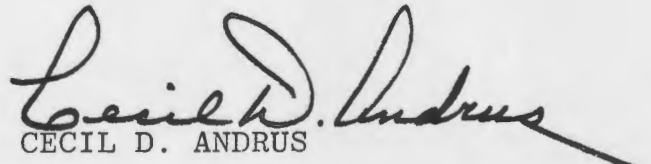
Our selection of an Assistant Secretary for Indian Affairs has been accomplished after months of working with the Indian Nations. Your office will receive the material on Monday for your consideration.

I believe we have a workable solution to the Maine Indian problem, but due to the death of Judge Gunter's son, we have not made our presentation to him personally.

After consultation with Mike Blumenthal and OMB, we decided to push the Outer Continental Shelf leasing schedule into FY-78 to help our potential deficit problem. The planning schedule is sound and the onshore states are very pleased with being involved in the process. Industry now has a substantial schedule that they can rely on and plan for. Eight sales over the next eighteen months.

I represented the Administration at the testimonial dinner in honor of Senator Hubert Humphrey on Tuesday evening. The Zionist Organization of America was hosting and your statement was warmly received.

Our Affirmative Action plan is working well and improved statistics are available monthly. Admittedly, we had room for improvement.


CECIL D. ANDRUS

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THE PRESIDENT HAS SEEN.
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410

May 20, 1977

1977 MAY 20 PM 4 24

MEMORANDUM FOR: The President

SUBJECT: Weekly Report of Major Departmental
Activities

The following are brief descriptions of significant activities at the Department of Housing and Urban Development.

Philadelphia Community Development Block Grant Approval.
The Community Development Block Grant application from Philadelphia was approved on May 13 after several meetings in Washington and Philadelphia at which the City's past community development performance was discussed. The eligibility of proposed activities, siting for assisted housing proposed in the City's Housing Assistance Plan, prior audit findings, and the need for a housing implementation plan were among issues considered. Among the meetings was one held on May 5 in Philadelphia between HUD and several neighborhood groups. HUD staff reviewed more than 300 pages of testimony from that meeting before deciding to approve the Philadelphia application.

The Philadelphia approval letter notified the City of Philadelphia that the law provides for imposition of sanctions if the City fails to take the steps necessary to produce low income housing outside areas of minority concentration and to satisfy certain audit findings about the personnel funded by the program.

Meetings with State and Local Officials' Groups. In further observance of your emphasis on improving inter-governmental relations, the staff of our Office of Legislation and Intergovernmental Relations met with the Council of State Governments and National League of Cities this week in a continuing effort to develop ways in which the Department can be more responsive to these groups.

Solar Energy Research. Our application review board has completed its review of 700 applications received from builders, developers, architects, and others in the building industry for the third cycle of solar demonstration grants.

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We expect to complete negotiations and other necessary administrative activities so that the grants for solar residential demonstrations can be announced by June 1. Approximately \$6 million in grants will be awarded and we expect them to cover a significant number of dwelling units.

Earthquake Design. The Applied Technology Corporation submitted the final documents to complete their research contract on the construction of single-family residences to minimize the potential economic loss and the life loss risk associated with earthquakes. This is the first time that an in-depth effort has been made to develop design information on the earthquake resistance of single-family structures. The information will be made available to affected HUD field offices and to builders and designers of residences to be constructed in earthquake zones.

Urban/Regional Policy Group. The deputies group of the Urban and Regional Policy Group is drafting papers in three areas for consideration by the Principals: neighborhoods policy, economic development, and Federal programs-coordination. A sub-group to study the problem of "redlining" is being established.

Disaster Activity

1. Appalachian Disasters. Activity to provide temporary housing assistance is continuing in Kentucky, Tennessee, Virginia, and West Virginia. Applications are still being received. As of May 18, HUD had received 11,065 applications and 8,339 families had been determined eligible for assistance. As of May 18, 2,738 families (32.8%) have been given housing assistance.

FDAA also expects to receive 225 project applications from State and local governments for debris removal and repair or rebuilding of public facilities. So far, 81 applications are in, and 72 were approved as of May 17. The current estimate of the cost of this Public Assistance is \$44.3 million.

2. Louisiana and Missouri. Disaster relief is well underway in both States. In Louisiana, placements continue at a satisfactory rate with a total of 76 families relocated in temporary housing. Minimal Repair Program contract documents and specifications were completed on May 16. Twelve contractors have already indicated interest in participating, and

awards of the first bids are anticipated by May 18.

In Missouri, applications and pre-placement are being handled by a team traveling throughout the affected area. The City of Sedalia has approved an ordinance permitting placement of mobile homes on private sites in the damaged areas for a period of one year. The State Fair Grounds also are available for mobile home use. Minimal Repair Program contracts in Missouri should be executed this week with work beginning on May 19.

3. Congressional Oversight. On May 16, Senators Byrd and Randolph and Congressman Rahall were given an oral report on the West Virginia disaster relief effort. They are reported to be satisfied with our progress in housing affected families.

On May 19, a panel of HUD witnesses testified before the Senate Subcommittee on HUD-Independent Agencies Appropriations (Senator Huddleston, D-Ky presiding). The HUD witnesses described actions being taken by the Department in the disaster area and stated that they expect all families in Eastern Kentucky to be placed in temporary housing by June 30. This hearing provided the opportunity for local officials to express the concerns of citizens in their areas.

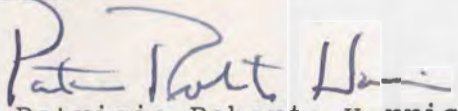
Drought Emergency Declarations. Although precipitation in the Plateau Region and the Great Plains is expected to exceed the median amount for mid-May to mid-June, the drought situation there continues to be a critical national problem. To date there have been 22 Emergency declarations by the President to provide drought assistance for affected states under the Disaster Relief Act. A total of 657 counties have been designated to receive Federal assistance under one or more of the following programs: Hay Transportation, Emergency Livestock Feed and Cattle Transportation. The current estimate of the cost of these programs to the Disaster Relief Fund through June 15, 1977, is \$91 million.

The High Cost of Housing. The leading causes for escalating costs in buying a home were identified Thursday, May 19, by Under Secretary Janis in a round table discussion with the National Association of Home Builders. The Under Secretary listed the cost of money -- financing charges and carrying costs -- the public demand for bigger and fancier houses, the cost of materials and some unreasonable delays in environmental clearances as factors increasing housing costs. The Under Secretary is a member of a HUD task force that is analyzing the problems of higher costs and seeking ways to slow the rate of increase.

Technical Assistance for Romania. HUD was asked to participate in discussions chaired by the State/AID Office of Disaster Relief Operations. The purpose of these discussions is to develop a plan for exposing a team of Romanian engineers to U.S. housing technology that might be useful in permanent reconstruction necessary after the recent earthquake in that country. A special list of some 80 industrialized builders in concrete, metal, etc., prepared by HUD's Office of International Affairs has been supplied to the Department of Commerce. HUD professionals will consult with the Romanian team and cooperate with the Departments of Commerce and State in a program of contracts with appropriate institutions and firms in the industrialized building field. This is a unique opportunity to provide needed assistance while securing economic benefits for the United States in a HUD-related field.

Process Review. In order to help fulfill your objective of simplifying government rules and regulations, I have asked my principal staff to assure that process analysis and process flow charting techniques are employed for every program.

These techniques will set out the process flow between HUD and its clients, highlight unnecessary steps and points of delay, and identify procedural steps, decision steps, and documents produced. It is expected to be an important element in our efforts to clarify, simplify, and speed up the Department's procedures.


Patricia Roberts Harris

THE WHITE HOUSE
WASHINGTON

May 23, 1977

Secretary Bergland -

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

Re: Sugar

cc Bergland



THE PRESIDENT HAS SEEN.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

cc Bergland J

1977 MAY 20 PM 4 23

May 20, 1977

MEMORANDUM TO THE PRESIDENT

THROUGH Jack Watson
Secretary to the Cabinet

SUBJECT: Weekly Report

CANADA. Day-long meetings with Canadian officials informative and accomplished as much as we desired. Canadians would have preferred more substance in the area of specific agreements but, as explained, no hard negotiating is possible until our Administration has the details of new farm legislation guidelines.

We are in the process of opening middle-level, informal, communications in an attempt to work out less major problems.

FOOD STAMPS. Assistant Secretary Foreman continuing to meet with Northeast Senators questioning fairness of Administration proposal. Senator Moynihan now less concerned over impact on New York.

FARM BILL. Senate floor action expected Tuesday or Wednesday. Chairman Foley expects House action to be completed by mid-July. Final Senate bill will be close to committee recommendations.

TRANSPORTATION. Have begun discussions with DOT to coordinate efforts to relieve mutual transportation problems and avoid duplication.

SUGAR. As noted in Friday's Washington Post, sugar policy could lead to large payments to processors. We are working under two legal restrictions: (1) direct payments to producers are not allowed and, therefore, must go through processors; and (2) maximum benefits must go to producers, which is not always the case with existing contracts. We are developing a method of going through the processor but limiting their share to a reasonable fee for administering the payments.


BOB BERGLAND

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↑
Minimize payment to
processors - Let me
see plan before it
is final J.C.

THE WHITE HOUSE
WASHINGTON

N May 23, 1977

Secretary Califano -

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

Re: Hospital Cost Containment

cc Calipano



THE PRESIDENT HAS ORDERED

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

1977 MAY 20 PM 4 23
May 20, 1977

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MEMORANDUM FOR THE PRESIDENT

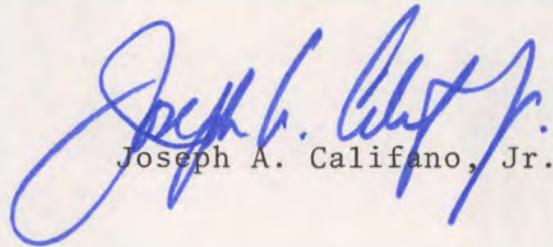
SUBJECT: Weekly Report on HEW Activities

The following is my weekly report on significant activities within the Department of Health, Education, and Welfare.

- Procurement Procedures. On Wednesday, I announced revisions in the Department's procurement policies and procedures. These revisions are aimed at eliminating waste, abuse and mismanagement from HEW's annual award of \$5 billion in grants and \$2 billion in contracts. A more complete description of the new approach to grants and contracts is contained in the attached press statement.
- Hospital Cost Containment. Chairman Ullman has told me that he supports and will try to move your cost containment legislation out of the Ways and Means Committee. As a first step, he will allow Subcommittee Chairman Rostenkowski time to mark-up the hospital legislation during the next several weeks. On May 24th, I will testify before Senator Kennedy's Health Subcommittee on your proposal. On June 7th, I will testify on Senator Talmadge's bill. He has decided not to hold hearings on your bill until it clears either the House or Senator Kennedy's Subcommittee. 902
- Welfare Reform. Yesterday I sent to you an extensive memorandum outlining the structure of a welfare reform proposal on which Ray Marshall and I agree. If you approve our request to move forward on the basis of that memorandum, the Congress and the press should be briefed promptly. We must emphasize that the proposal is a working plan that may be modified before you submit legislation in early August.
- Handicapped. You and I will be speaking at the opening session of the White House Conference on Handicapped Individuals on Monday night. I will discuss the manner in which the Department will implement the recently promulgated handicapped regulations.

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- Education Speech. On Sunday, May 22, I will deliver the commencement address at the College of New Rochelle in New York. The speech will emphasize three themes: the importance of diversity in higher education; the need for colleges and universities to become engaged in the life of their local communities; and the Carter Administration's intention to effect significant Federal deregulation of education.



Joseph A. Califano, Jr.

Attachment

THE WHITE HOUSE
WASHINGTON

May 23, 1977

Secretary Adams -

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

Re: Energy Plan Hearings
Aviation Regulatory Reform
Concorde
Metro

cc Adams

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THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

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1977 MAY 20 PM 5 51

May 20, 1977

THE PRESIDENT HAS SEEN.

MEMORANDUM FOR THE PRESIDENT

THROUGH: Jack Watson

SUBJECT: Weekly Report on DOT Issues

Boel Adams

This memorandum summarizes the status of significant issues pending at the Department of Transportation.

Deputy Secretary Alan A. Butchman will attend Monday's Cabinet Meeting since I will be in London delivering the U.S. position on oil tanker safety to the International Maritime Consultative Organization (IMCO). These remarks have been cleared with the State Department and all other appropriate Administration officials. The Senate Commerce Committee has now indicated it is also supportive of the Administration position.

INFORMATION

Advance Design Buses/Accessibility by Elderly and Handicapped

On May 19, after consultation with Secretary Califano, I announced my decision on Transbus, which will provide better accessibility for the elderly and the handicapped. In this decision, I have mandated the use of a new bus specification, requiring buses offered for bid after September 30, 1979, to have a floor height of not more than 22 inches, capable of kneeling to 18 inches above the ground, and equipped with a ramp for boarding.

My review of the six year-old Transbus program convinced me that without a mandate the bus manufacturers would not move forward with the design on their own. It is my believe that this decision will not only provide access to public transportation for the elderly and handicapped but will also permit improved transit service for all passengers.

In the interim, between now and September 30, 1979, we will continue existing requirements concerning accessibility for the elderly and handicapped.

Energy Plan Hearings

On Tuesday, May 17, I appeared before the House Ways and Means Committee to testify on your Energy Program. As we discussed by telephone prior to the hearings, subsequent to my formal testimony in support of the program, I responded to the Committee inquiries by outlining how the standby gasoline tax revenues could be designated for mass transit, energy research, and transportation aid to the states.

The Committee Members continued to press me on this in a session that lasted over four hours and a number of Members indicated during and subsequent to the hearing that they supported the concept. Since that time, Chairman Howard of the House Surface Transportation Subcommittee and Senators Long and Williams have also informally expressed to me their interest in the idea.

I believe it is essential that my staff continue to develop and refine this proposal so that we will have available a comprehensive and acceptable alternative to the gas tax rebate. I had already designated a Departmental Task Force to work on the transportation policy that must flow from the Energy Plan and have directed them to immediately prepare the material on the issues raised by the Ways and Means Committee. Examination is being made of each of the major DOT programs that work through units of State and local government. My goal is to have a legislative proposal ready for your review late this summer. During this process, we will identify major transportation policy issues which merit your decision. I will bring these to your attention as they arise. Our efforts have been planned to follow on after the energy legislation, unless you decide it is necessary to make some part of this a part of the energy package.

Aviation Regulatory Reform

On May 16, the Senate Aviation Subcommittee held a field hearing in Alaska on Aviation Regulation Reform. Linda Kamm, the Department's General Counsel, was present. The hearing was held at the request of Senator Stevens, who was concerned about the unique problems of small community service in Alaska. The State's two major carriers, Wien Air Alaska and Alaska Airlines, both favor reform with adequate provisions for Alaska's problems. Stevens' attitude, which had been very negative, has now become more positive. I understand he has informed Senator Cannon that he would consider cosponsoring the legislation. This is extremely important since, as Ranking Minority Member of the Subcommittee, he has been one of the bill's key opponents. We are trying to get a bill marked up and reported as soon as possible. 900

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Transportation of Coal

On May 27, I have been asked to testify before Congressman Dingell's Energy and Power Subcommittee concerning the capacity of the National Transportation System to carry the additional coal required under the President's Energy Program.

I have created a Departmental Task Force to immediately address how the coal will be transported from the place of production to the ultimate place of use. First, we will address the adequacy of the roads, rail, and water delivery system during the next 24 to 36 months and then the longer range needs contemplated in your Energy Program which will involve coal slurry pipelines and building the system necessary to move the coal contemplated to be used in the future. I intend to indicate to Chairman Dingell and his Committee that the present coal volume can for the most part be adequately handled with some immediate rehabilitation of highways and rail right of way and that we will provide regular reports on our Task Force work on the long-range needs of the system.

Concorde

In the bilateral air negotiations in London, the British have again demanded assurances that continued Concorde operations to the United States, at least to Dulles Airport, be guaranteed. We have told the British that a final regulatory decision on supersonic transport noise and operating regulations now under consideration cannot be completed until February, 1978. They are now seeking some assurance that temporary operations will be permitted at Dulles between the September 24 conclusion of the 16-month demonstration period and the final decision.

We cannot resolve that question until the end of the trial period in September, and thus consider it inappropriate for further bilateral discussions. *agm*

Metro

Last week DOT and OMB reached agreement on the interim financing of the debt service for the revenue bonds issued to construct the D.C. subway system to give us all the time to carry out the requirements that a comprehensive alternative analysis of the system must be made and a long-term plan for financing must be completed. *↑*

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for Preservation Purposes**

*Try not to
waste any
more money*

THE WHITE HOUSE
WASHINGTON

May 23, 1977

Attorney General Bell -

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

Re: Resignation of Phillip Van Dam

1

ce Bell

100



THE PRESIDENT HAS SEEN.

Office of the Attorney General

Washington, D. C. 20530

May 20 1977 4 44 PM
1977 MAY 20 9 PM 4 44

MEMORANDUM FOR THE PRESIDENT

RE: Principal activities of the Department of Justice for the week of May 16 through 20

1. Events and Meetings

The Attorney General has made a number of speeches and public appearances during the past week. On Tuesday, he spoke before the Annual Judicial Conference of the U.S. Court of Customs and Patent Appeals in which he discussed his perspective after 112 days as Attorney General. He condemned leaks by government attorneys of information concerning the investigations of possible wrongdoing by Federal Bureau of Investigation personnel. He said those doing the leaking are trying to manage them and channel the course of the investigation through information releases. He said the law, fairness, and ethical standards will be upheld in the FBI investigation and all others the Department undertakes. On Tuesday night the Attorney General attended a reception for the Washington area Mercer alumni. On Wednesday the Attorney General spoke to the American Law Institute's annual meeting in Washington. He spoke strongly in favor of judicial selection commissions. He said a critical problem exists with the political patronage system in particular as to the nomination of U.S. Attorneys. He said the law places the nomination responsibility and power with the President. The power to advise and consent rests with the Senate. He said he did not see how we could say we are serious about the problem of crime unless we selected the best available lawyers as U.S. Attorneys and require that their assistants be strictly selected on the merit system. On Wednesday night the Attorney General spoke in Baltimore to the Chizuk Amuno Congregation. On Sunday, May 22, the Attorney General will speak to the commencement ceremonies of Westminster High School in Atlanta, Georgia. Because of his responsibilities as Chairman (and perhaps for other reasons) the Attorney General participated in the Judicial Invitational Golf Tournament Thursday and Friday.

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for Preservation Purposes**

2. FBI Investigation

Criminal Division Assistant Attorney General Benjamin Civiletti and J. Phillip Jordan, a Special Assistant to the Attorney General, went to New Hampshire and conducted a five-hour interview with William C. Sullivan, formerly the number three person in the Federal Bureau of Investigation under Director Hoover. The interview explored the public allegations of former FBI agents and former CIA officials that high-ranking officials of the Department of Justice (under Mitchell) or even persons in the Nixon White House either knew of or expressly authorized the activities for which former Special Agent John Kearney was recently indicted. Sullivan denied any knowledge of Justice Department or White House involvement in the authorization of those activities. He asserted -- as was already known -- that similar activities had been conducted with White House knowledge for many years prior to 1966. Sullivan has himself since discussed this interview with a number of media representatives.

3. Fair Employment Practices Committee

The Department established this week a special committee to review the records of all GS-13 and above women and minority attorneys in the offices, boards, and divisions of the Department who had been in-grade longer than the minimum required number of years. The committee is co-chaired by Assistant Attorneys General Barbara Babcock and Drew Days. The committee will have the additional responsibility of monitoring all hiring and promotions of attorneys in the offices, boards, and divisions in grades GS-13 or above.

4. U.S. Marshals Service

The U.S. Marshals Service has announced this week the closing of all five of its regional offices and the streamlining and consolidation of its organizational structure. The regional offices are to be closed no later than June 30, 1977.

5. U.S. Steel v. Train

The Department received a decision from the Seventh Circuit Court of Appeals in U.S. v. Train. United States Steel had challenged, on numerous grounds, the issuance of a permit from EPA requiring it to meet strict water pollution standards at its Gary, Indiana steel works. This is the second largest steel plant in the world. The court, in a 53-page opinion, affirmed EPA's procedures for issuance

of the permit and upheld every provision of the permit. This is the first major decision upholding a permit under the Federal Water Pollution Control Act. We are at the same time engaged in negotiations with United States Steel which should bring the Gary works into compliance with both state and federal water pollution laws.

6. Foreign Intelligence Surveillance Bill

The bill was introduced in the Senate by Senator Kennedy and in the House by Congressman Rodino and launched in the Rose Garden on Tuesday. Hearings on the bill in the Senate Judiciary Committee begin June 13. When the bill reaches the Senate Intelligence Committee, Senator Bayh will raise the issue of extending protections to Americans abroad. The Administration has already committed itself to work toward this in separate legislation.

7. Intelligence Reporting to Congress

The Attorney General's staff has been meeting with the DCI's general counsel and Robert Lipshutz to work out an approach to requests by the Senate Intelligence Committee for periodic reports on intelligence activities and on reporting of questionable activities to the Intelligence Oversight Board. In connection with the intelligence community's budget, the Department's Office of Legal Counsel rendered an opinion that there is no constitutional requirement that Congress publish (a) the aggregate appropriation figure for the intelligence community or (b) an account of the expenditures of the individual intelligence agencies. Congress may in its discretion decide as a matter of policy that it can make public any of these figures.

8. Special Prosecutor

Departmental representatives testified before the House Judiciary Committee in support of legislation to provide for the appointment of a temporary special prosecutor. While the Senate Government Operations Committee has reported out the Ribicoff bill, which was supported by the Administration, there is significant opposition (led by Representative Wiggins) in the House Committee to special prosecutor legislation. There is serious doubt that the House Committee will report out a bill.

9. U.S. Attorney Declines to Resign

Phillip M. Van Dam, a Republican appointed eleven

months ago as U.S. Attorney for the Southern District of Michigan, has refused a request of the Justice Department that he resign to make way for a designated successor. It is anticipated that the Department will ask the President to formally request Mr. Van Dam's resignation.

ok

10. Weekly Reports

The Department was pleased to learn of the President's care in reading these weekly submissions.

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THE WHITE HOUSE
WASHINGTON

May 23, 1977

Charlie Schultze

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

Re: Humphrey/Hawkins Bill
Arthur Burns
Tax Reform

cc Schultze

THE PRESIDENT HAS SEEN.

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

*To Schultz
J*

1977 MAY 20 PM 6 07

May 20, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: Charlie Schultze *CLS*
SUBJECT: CEA Weekly Report

Be careful.

Humphrey/Hawkins Bill. We have discussed with both Senator Humphrey and Congressman Hawkins changes in the Humphrey/Hawkins bill which might make it a better and more acceptable measure. Subsequently, Congressman Hawkins wrote me a letter stating, in effect, that he could live with some minor changes, but would find any extensive rewriting of the bill unacceptable. Nevertheless, we are going to try once more. We are drafting a response to the Congressman which ignores the problem of what is "extensive" and what is not, but lays out the kind of changes we think desirable. We will also offer two alternative courses of action:

a) Detailed negotiations among our staffs on the bill, along the general lines of the letter; or

b) They should go ahead with hearings and we will testify publicly to the kind of modifications we believe desirable.

We will have the letter reviewed by the EPG next week; I will discuss it with you and, with your approval, will proceed along these lines. We are also in touch with Tip O'Neill's staff about this problem.

Welfare Reform. My staff and I have been working with the Domestic Council, OMB, Labor, and HEW to construct the compromise welfare reform proposals that will shortly be presented to you by Secretaries Califano and Marshall. I think the broad outlines of the compromise are good. But there are number of cautions that should be observed as we proceed. I am sending you a memo Saturday, and will discuss the problems with you Monday, when we are scheduled to meet.

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Budget Review. OMB has provided us with a preliminary look at various 1979 budget alternatives, and we are conducting an analysis to determine the approximate economic impact of those alternatives. We expect to have a preliminary analysis ready for presentation to you in the Overview session with Director Lance next week.

Foreign car imports and the "gas-guzzler" tax. My staff is participating in discussions within the Trade Policy Staff Committee to develop approaches to the tax and rebate on imported autos under the Administration's "gas-guzzler" tax proposal. We are looking for a solution that introduces the fewest distortions into the automobile market and does the least violence to international trade agreements.

New Economic Forecast. In addition to our forecasts related to the 1979 budget, CEA is leading a mid-year forecasting effort by the Troika forecasting group. We expect this forecast to be available in mid-June.

Arthur Burns. Chairman Burns and I have agreed to begin meeting one-on-one over breakfast periodically to discuss economic issues. *Good*

Tax Reform. We are continuing to analyze the options that are open to the Administration in this area, paying particular attention to questions of (i) fairness, and (ii) investment impact. *Tie in = Welfare reform* *Good*

Financial Reform. The EPG on Thursday took a first look at financial reform proposals that face the Administration. CEA expects to be actively involved in the formulation of the overall Administration strategy on financial reform, and in the construction of options for specific reforms. *C*

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THE WHITE HOUSE
WASHINGTON

May 23, 1977

Bob Lipshutz:

Re: Genocide Convention and other
Human Rights Treaties

The attached was returned in the President's outbox and is forwarded to you for appropriate handling.

The signed Message to the Senate has been given to Bob Linder for appropriate delivery.

Rick Hutcheson

cc: Z. Brzezinski
Bob Linder

THE WHITE HOUSE
WASHINGTON

ACTION
FYI

<input type="checkbox"/>	MONDALE
<input type="checkbox"/>	COSTANZA
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<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

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<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
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<input type="checkbox"/>	ARAGON
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85/23/77
THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

May 20, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT LIPSHUTZ *RL*

SUBJECT: Genocide Convention and other Human Rights
Treaties

The Senate Foreign Relations Committee will commence hearings on the Genocide Convention ratification next Tuesday, May 24. The State Department will have witnesses on behalf of the Administration.

Relative to the manner of ratification, I am attaching a proposed message from you which I recommend you sign. You will note it does not specify the exact language to be used in the ratification.

TAB A

Regarding the language of ratification, I am attaching a draft of a letter which would be delivered to the Senate Foreign Relations Committee by the State Department. Also, I am attaching a proposed letter from the

TAB B

State Department to the President of the Senate attaching three specific legislative proposals which would be needed to implement the treaty. A similar letter with the legislation is to be delivered to the Speaker of the House.

Please indicate your approval or disapproval of the foregoing by checking in the appropriate box. If you approve, please also sign the message and return it to me.

APPROVE

✓

DISAPPROVE

In addition to the Genocide Convention, the other three Human Rights Treaties will have to be signed at the United Nations itself. The State Department has tried to make arrangements to bring the documents to Washington, but apparently this is not going to be successful. However, it is not necessary for you personally to sign the Treaties, but you may delegate this authority to anyone else, such as

Ambassador Young or Secretary Vance. Although it is not necessary to sign these three Treaties prior to Senate action on the Genocide Convention, I would urge you to have them signed very soon. The Senate Foreign Relations Committee does not plan to take up any of these other three until final action has been taken relative to the Genocide Convention.

Finally, NSA has recommended that you sign the OAS covenant before Mrs. Carter takes her trip to South America. This can be signed here in Washington at the Office of the OAS. Please advise so that the State Department can make the appropriate arrangements.

ok
JC.

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TO THE SENATE OF THE UNITED STATES:

I am honored to have the privilege of recommending to the Senate that it approve the Convention on the Prevention and Punishment of the Crime of Genocide. This Convention was initially drafted in the wake of the wanton acts committed by some of our enemies during the Second World War. With the strong support of the United States, the Convention was unanimously adopted by the United Nations General Assembly on December 9, 1948.

The Convention, which now has 83 parties, provides that genocide consists of acts intended to destroy a national, ethnic, racial or religious group as such. The parties to the Convention undertake to establish genocide as a criminal behavior under their own legal systems.

The Convention thus protects the most fundamental of all human rights -- the right to live -- and it creates an essential limit on the actions governments may appropriately take with respect to the people they govern.

The right to life was initially proclaimed for this nation in the Declaration of Independence. The promise of the Declaration was to protect that right by instituting a new and democratic government in America. Today it is important that this nation assist the world community to protect the right to life internationally.

The Genocide Convention has been recommended by a succession of Presidents, with specific endorsement by the Departments of State, Defense and Justice. It also has the support of many of our distinguished citizens and organizations, including the American Bar Association.

I urge the Senate to give its advice and consent to the ratification of the Convention. Ratification would be a significant enhancement of the human rights commitments of this nation, demonstrating again to the world in concrete fashion our determination to advance and protect human rights.

Jimmy Carter

THE WHITE HOUSE,

TAB A

AS TO SPECIFIC LANGUAGE,
PROPOSED TESTIMONY BY WITNESSES
FROM THE DEPARTMENT OF STATE

That the Senate advise and consent to the ratification of the International Convention on the Prevention and Punishment of the Crime of Genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948, and signed on behalf of the United States on December 11, 1948 (Executive O, Eighty-first Congress, first session) subject to the following understandings and declaration:

1. That the Convention is consistent with all of the provisions of the United States Constitution; and without limiting the generality of the foregoing;
2. That the United States Government understands and construes the words "intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such" appearing in article II, to mean the intent to destroy a national, ethnical, racial, or religious group by the acts specified in article II in such manner as to affect a substantial part of the group concerned;
3. That the United States Government understands and construes the words "mental harm" appearing in article II (b) of this Convention to mean permanent impairment of mental faculties;
4. That the United States Government understands and construes article VI of the Convention in accordance with the agreed language of the Report of the Legal Committee of the United Nations General Assembly that nothing in article VI shall affect the right of any State to bring to trial before its own tribunals any of its nationals for acts committed outside the United States;
5. That the United States Government declares that it will not deposit its instrument of ratification until after the implementing legislation referred to in article V has been enacted.

THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

May 20, 1977

Mr. Norvill Jones
Chief of Staff
Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

Dear Mr. Jones:

I am writing this letter in connection with the hearings on the Genocide Convention to be held by the Committee on Foreign Relations on May 24 and 26, and specifically with reference to action to be taken by the Administration in connection therewith.

We expect that the President will be submitting to the Senate prior to the hearings a message calling for approval of the Genocide Convention.


As previously indicated to you by the Department of State, we expect that Mr. Warren Christopher, Deputy Secretary of State, and Mr. Herbert J. Hansell, Legal Adviser, will testify on behalf of the Administration in support of approval. They will be accompanied by a representative of the Department of Justice.

Copies of proposed testimony of Administration witnesses will be delivered to the Committee in advance of the hearing.

Proposed legislation to implement the Convention is being forwarded to both Houses.

With thanks and best regards,

Sincerely,



Herbert J. Hansell

TAB B



DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Mr. President:

Enclosed for your consideration and appropriate reference is a legislative proposal to implement the Convention on the Prevention and Punishment of the Crime of Genocide.

The Genocide Convention, as it is popularly known, is currently pending before the Senate for advice and consent to ratification. The Convention provides that acts intended to destroy a national, ethnic, racial, or religious group as such constitute genocide - a crime under international law - which the parties undertake to punish through their own legal systems.

The Convention was unanimously adopted by the United Nations General Assembly on December 9, 1948. Two days later the United States signed the Convention, and it was submitted to the Senate by President Truman on June 16, 1949. The Convention entered into force in 1951, and today has 83 parties.

The Senate Committee on Foreign Relations favorably reported the Convention in 1970, 1971, 1973, and 1976, but to date the Senate has not approved the treaty or voted on its merits. On February 16, 1972, the Administration submitted implementing legislation to the Congress, and resubmitted it on May 7, 1973.

As you will note, the draft legislation contains three sections, each of which is explained in detail in the accompanying sectional analysis. Section 1 would add to Title 18 of the United States Code a new chapter 50A, Genocide, consisting of two new sections.

President of the Senate
United States Senate
Washington, D.C. 20510

These sections contain definitions of certain of the terms used in the Convention, give effect to the understandings attached by the Senate Committee on Foreign Relations to its proposed resolution of ratification, and create the crime of genocide in United States federal criminal law.

Section 2 of the draft legislation would exclude civil remedies as a means of enforcing the rights based on the Convention, and also expresses the Congressional intent not to preempt State law in this field.

Section 3 of the draft legislation would express the sense of the Congress that extradition treaties negotiated pursuant to the Convention are to provide protection for Americans against double jeopardy for genocidal acts committed abroad if they have been proceeded against in the United States or if the United States intends to exercise its jurisdiction.

Sincerely,

25/25/77
THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

May 20, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT LIPSHUTZ *RL*

SUBJECT: Genocide Convention and other Human Rights
Treaties

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TAB 1
TAB 2
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Please indicate your approval or disapproval of the foregoing by checking in the appropriate box. If you approve, please also sign the message and return it to me.

APPROVE



DISAPPROVE

In addition to the Genocide Convention, the other three Human Rights Treaties will have to be signed at the United Nations itself. The State Department has tried to make arrangements to bring the documents to Washington, but apparently this is not going to be successful. However, it is not necessary for you personally to sign the Treaties, but you may delegate this authority to anyone else, such as

Ambassador Young or Secretary Vance. Although it is not necessary to sign these three Treaties prior to Senate action on the Genocide Convention, I would urge you to have them signed very soon. The Senate Foreign Relations Committee does not plan to take up any of these other three until final action has been taken relative to the Genocide Convention.

Finally, NSA has recommended that you sign the OAS covenant before Mrs. Carter takes her trip to South America. This can be signed here in Washington at the Office of the OAS. Please advise so that the State Department can make the appropriate arrangements.

ok
JC.

TO THE SENATE OF THE UNITED STATES:

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The Convention, which now has 83 parties, provides that genocide consists of acts intended to destroy a national, ethnic, racial or religious group as such. The parties to the Convention undertake to establish genocide as a criminal behavior under their own legal systems.

The Convention thus protects the most fundamental of all human rights -- the right to live -- and it creates an essential limit on the actions governments may appropriately take with respect to the people they govern.

The right to life was initially proclaimed for this nation in the Declaration of Independence. The promise of the Declaration was to protect that right by instituting a new and democratic government in America. Today it is important that this nation assist the world community to protect the right to life internationally.

The Genocide Convention has been recommended by a succession of Presidents, with specific endorsement by the Departments of State, Defense and Justice. It also has the support of many of our distinguished citizens and organizations, including the American Bar Association.

I urge the Senate to give its advice and consent to the ratification of the Convention. Ratification would be a significant enhancement of the human rights commitments of this nation, demonstrating again to the world in concrete fashion our determination to advance and protect human rights.

Jimmy Carter

THE WHITE HOUSE,

TAB A

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PROPOSED TESTIMONY BY WITNESSES
FROM THE DEPARTMENT OF STATE

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1. That the Convention is consistent with all of the provisions of the United States Constitution; and without limiting the generality of the foregoing;
2. That the United States Government understands and construes the words "intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such" appearing in article II, to mean the intent to destroy a national, ethnical, racial, or religious group by the acts specified in article II in such manner as to affect a substantial part of the group concerned;
3. That the United States Government understands and construes the words "mental harm" appearing in article II (b) of this Convention to mean permanent impairment of mental faculties;
4. That the United States Government understands and construes article VI of the Convention in accordance with the agreed language of the Report of the Legal Committee of the United Nations General Assembly that nothing in article VI shall affect the right of any State to bring to trial before its own tribunals any of its nationals for acts committed outside the United States;
5. That the United States Government declares that it will not deposit its instrument of ratification until after the implementing legislation referred to in article V has been enacted.

THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

May 20, 1977

Mr. Norvill Jones
Chief of Staff
Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

Dear Mr. Jones:

I am writing this letter in connection with the hearings on the Genocide Convention to be held by the Committee on Foreign Relations on May 24 and 26, and specifically with reference to action to be taken by the Administration in connection therewith.

We expect that the President will be submitting to the Senate prior to the hearings a message calling for approval of the Genocide Convention.

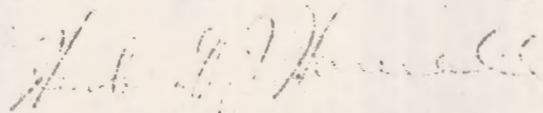
As previously indicated to you by the Department of State, we expect that Mr. Warren Christopher, Deputy Secretary of State, and Mr. Herbert J. Hansell, Legal Adviser, will testify on behalf of the Administration in support of approval. They will be accompanied by a representative of the Department of Justice.

Copies of proposed testimony of Administration witnesses will be delivered to the Committee in advance of the hearing.

Proposed legislation to implement the Convention is being forwarded to both Houses.

With thanks and best regards,

Sincerely,



Herbert J. Hansell

TAB B



DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Mr. President:

Enclosed for your consideration and appropriate reference is a legislative proposal to implement the Convention on the Prevention and Punishment of the Crime of Genocide.

The Genocide Convention, as it is popularly known, is currently pending before the Senate for advice and consent to ratification. The Convention provides that acts intended to destroy a national, ethnic, racial, or religious group as such constitute genocide - a crime under international law - which the parties undertake to punish through their own legal systems.

The Convention was unanimously adopted by the United Nations General Assembly on December 9, 1948. Two days later the United States signed the Convention, and it was submitted to the Senate by President Truman on June 16, 1949. The Convention entered into force in 1951, and today has 83 parties.

The Senate Committee on Foreign Relations favorably reported the Convention in 1970, 1971, 1973, and 1976, but to date the Senate has not approved the treaty or voted on its merits. On February 16, 1972, the Administration submitted implementing legislation to the Congress, and resubmitted it on May 7, 1973.

As you will note, the draft legislation contains three sections, each of which is explained in detail in the accompanying sectional analysis. Section 1 would add to Title 18 of the United States Code a new chapter 50A, Genocide, consisting of two new sections.

President of the Senate
United States Senate
Washington, D.C. 20510

These sections contain definitions of certain of the terms used in the Convention, give effect to the understandings attached by the Senate Committee on Foreign Relations to its proposed resolution of ratification, and create the crime of genocide in United States federal criminal law.

Section 2 of the draft legislation would exclude civil remedies as a means of enforcing the rights based on the Convention, and also expresses the Congressional intent not to preempt State law in this field.

Section 3 of the draft legislation would express the sense of the Congress that extradition treaties negotiated pursuant to the Convention are to provide protection for Americans against double jeopardy for genocidal acts committed abroad if they have been proceeded against in the United States or if the United States intends to exercise its jurisdiction.

Sincerely,

THE WHITE HOUSE
WASHINGTON

Date: May 20, 1977

MEMORANDUM

FOR ACTION:

Bob Linder

Zbigniew Brzezinski - Per Tuchman - last # should be spelled out w/ recom & say: you direct Secy of State to make arrangements for early signing. St Dept should make appropriate arrangements before 5/30.

FOR INFORMATION:

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Bob Lipshutz memo 5/20 re Genocide Convention and other Human Rights Treaties.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: IMMEDIATE TURNAROUND

DAY:

DATE:

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

☐ No comment.

Please note other comments below:

3/23
PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

MEMORANDUM

NATIONAL SECURITY COUNCIL

3132

May 23, 1977

MEMORANDUM FOR: RICK HUTCHESON

FROM: MICHAEL HORNBLOW *Wk*

SUBJECT: Bob Lipshutz Memo 5/20 Regarding
Genocide Convention and Other Human
Rights Treaties

The National Security Council Staff concurs with Bob Lipshutz's memo dated May 20, 1977 regarding Genocide Convention and other Human Rights Treaties. Minor changes are suggested on page 2 of the memo.

*received
6:01 P 5/23
late!*

THE WHITE HOUSE

WASHINGTON

May 20, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT LIPSHUTZ *RL*

SUBJECT: Genocide Convention and other Human Rights
Treaties

The Senate Foreign Relations Committee will commence hearings on the Genocide Convention ratification next Tuesday, May 24. The State Department will have witnesses on behalf of the Administration.

Relative to the manner of ratification, I am attaching a proposed message from you which I recommend you sign. You will note it does not specify the exact language to be used in the ratification.

Regarding the language of ratification, I am attaching a draft of a letter which would be delivered to the Senate Foreign Relations Committee by the State Department. Also, I am attaching a proposed letter from the State Department to the President of the Senate attaching three specific legislative proposals which would be needed to implement the treaty. A similar letter with the legislation is to be delivered to the Speaker of the House.

Please indicate your approval or disapproval of the foregoing by checking in the appropriate box. If you approve, please also sign the message and return it to me.) !

APPROVE _____ DISAPPROVE _____

In addition to the Genocide Convention, the other three Human Rights Treaties will have to be signed at the United Nations itself. The State Department has tried to make arrangements to bring the documents to Washington, but apparently this is not going to be successful. However, it is not necessary for you personally to sign the Treaties, but you may delegate this authority to anyone else, such as

Ambassador Young or Secretary Vance. Although it is not necessary to sign these three Treaties prior to Senate action on the Genocide Convention, I would urge you to have them signed very soon. The Senate Foreign Relations Committee does not plan to take up any of these other three until final action has been taken relative to the Genocide Convention.

Finally, NSA has recommended that you sign the OAS covenant before Mrs. Carter takes her trip to South America. This can be signed here in Washington at the Office of the OAS. Please advise so that the State Department ~~can~~ make the appropriate arrangements ^{to} before May 30 for signing

Recommendation:

Recomm:

That you direct the Secretary of State to ~~take~~ ~~steps~~ make arrangements for early signing

A _____

D _____

TO THE SENATE OF THE UNITED STATES:

I am honored to have the privilege of recommending to the Senate that it approve the Convention on the Prevention and Punishment of the Crime of Genocide. This Convention was initially drafted in the wake of the wanton acts committed by some of our enemies during the Second World War. With the strong support of the United States, the Convention was unanimously adopted by the United Nations General Assembly on December 9, 1948.

The Convention, which now has 83 parties, provides that genocide consists of acts intended to destroy a national, ethnic, racial or religious group as such. The parties to the Convention undertake to establish genocide as a criminal behavior under their own legal systems.

The Convention thus protects the most fundamental of all human rights -- the right to live -- and it creates an essential limit on the actions governments may appropriately take with respect to the people they govern.

The right to life was initially proclaimed for this nation in the Declaration of Independence. The promise of the Declaration was to protect that right by instituting a new and democratic government in America. Today it is important that this nation assist the world community to protect the right to life internationally.

The Genocide Convention has been recommended by a succession of Presidents, with specific endorsement by the Departments of State, Defense and Justice. It also has the support of many of our distinguished citizens and organizations, including the American Bar Association.

I urge the Senate to give its advice and consent to the ratification of the Convention. Ratification would be a significant enhancement of the human rights commitments of this nation, demonstrating again to the world in concrete fashion our determination to advance and protect human rights.

X

THE WHITE HOUSE,

AS TO SPECIFIC LANGUAGE,
PROPOSED TESTIMONY BY WITNESSES
FROM THE DEPARTMENT OF STATE

That the Senate advise and consent to the ratification of the International Convention on the Prevention and Punishment of the Crime of Genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948, and signed on behalf of the United States on December 11, 1948 (Executive O, Eighty-first Congress, first session) subject to the following understandings and declaration:

1. That the Convention is consistent with all of the provisions of the United States Constitution; and without limiting the generality of the foregoing;
2. That the United States Government understands and construes the words "intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such" appearing in article II, to mean the intent to destroy a national, ethnical, racial, or religious group by the acts specified in article II in such manner as to affect a substantial part of the group concerned;
3. That the United States Government understands and construes the words "mental harm" appearing in article II (b) of this Convention to mean permanent impairment of mental faculties;
4. That the United States Government understands and construes article VI of the Convention in accordance with the agreed language of the Report of the Legal Committee of the United Nations General Assembly that nothing in article VI shall affect the right of any State to bring to trial before its own tribunals any of its nationals for acts committed outside the United States;
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DEPARTMENT OF STATE
WASHINGTON

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Committee on Foreign Relations
United States Senate
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Sincerely,



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President of the Senate
United States Senate
Washington, D.C. 20510

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Sincerely,

THE WHITE HOUSE
WASHINGTON

ACTION	FYI
<input type="checkbox"/>	MONDALE
<input type="checkbox"/>	COSTANZA
<input type="checkbox"/>	EIZENSTAT
<input type="checkbox"/>	JORDAN
<input type="checkbox"/>	LIPSHUTZ
<input type="checkbox"/>	MOORE
<input type="checkbox"/>	POWELL
<input type="checkbox"/>	WATSON

<input type="checkbox"/>	ENROLLED BILL
<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

<input checked="" type="checkbox"/>	FOR STAFFING
<input type="checkbox"/>	FOR INFORMATION
<input type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
<input checked="" type="checkbox"/>	IMMEDIATE TURNAROUND

<input type="checkbox"/>	ARAGON
<input type="checkbox"/>	BOURNE
<input checked="" type="checkbox"/>	BRZEZINSKI
<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CARP
<input type="checkbox"/>	H. CARTER
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<input type="checkbox"/>	FALLOWS
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<input type="checkbox"/>	B. RAINWATER
<input type="checkbox"/>	SCHLESINGER
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<input type="checkbox"/>	SMITH
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	WELLS
<input type="checkbox"/>	VOORDE

ok
JC

THE WHITE HOUSE
WASHINGTON

MINUTES OF THE CABINET MEETING

Monday, May 23, 1977

The sixteenth meeting of the Cabinet was called to order by the President at 9:00 a.m., Monday, May 23, 1977. The Vice President was abroad -- winding up his ten-day trip to Europe. Other Cabinet members traveling out of the country included Mr. Adams, who was represented by Under Secretary of Transportation Alan Butchman; Mr. Blumenthal, represented by Under Secretary of the Treasury Robert Carswell; Ambassador Young, represented by Ambassador Melissa Wells; and Ambassador Strauss, represented by Deputy Special Trade Representative-designate Alan Wolff. All other Cabinet members were present. Other persons present were:

Zbigniew Brzezinski	Bob Lipshutz
Landon Butler	Bunny Mitchell
Hugh Carter	Dick Moe
Midge Costanza	Frank Moore
Doug Costle	Frank Press
Stu Eizenstat	Charlie Schultze
Jane Frank	Jay Solomon
Rex Granum	Stansfield Turner
Jim King	Charlie Warren
Tim Kraft	Rosalynn Carter
	Jack Watson

1. The President noted Mrs. Carter's presence and announced that she was leaving next Monday for a ten-day trip to Latin America where she will visit seven countries: Jamaica, Costa Rica, Peru, Columbia, Venezuela, Brazil and Equador. Mrs. Carter has prepared intensively for the trip -- including taking Spanish lessons with Mrs. Vance, and being thoroughly briefed on the countries she will visit.

2. The President asked for comments from Cabinet members, beginning with the Secretary of State:

-- Mr. Vance reported that, during his recent trip to Geneva, he and Soviet Foreign Minister Gromyko had reached general agreement on a common framework for SALT II. The three parts of that framework are: 1) A treaty to last until 1985; 2) A three-year protocol to that treaty; and 3) A joint statement concerning SALT III. The two delegations remaining in Geneva will continue discussions at the ambassadorial level. There will be at least two more meetings between Messrs. Gromyko and Vance from now through September. Mr. Vance cautioned that some of the remaining issues will be extremely difficult to resolve. At the same time, he believes that his recent Geneva talks were constructive; that progress was made; and that the general tone of the discussions was good.

-- Turning to the Middle East, Mr. Vance said that the winner of the recent elections in Israel, Mr. Begin, is in the hospital for a heart condition. Mr. Vance talked with Mr. Begin prior to his hospitalization.

-- Crown Prince Fahd of Saudi Arabia arrives tomorrow to begin two days of talks with the President. Mr. Vance described Prince Fahd as an articulate and able leader, and noted that the forthcoming talks are of great importance both to Saudi Arabia and the United States.

-- The Conference on International Economic Cooperation begins in Paris on May 30th. Messrs. Blumenthal and Vance and Under Secretary of State Dick Cooper will attend and hope to lend their efforts to reducing tension between the developed and developing countries.

-- Mr. Vance said that the State Department is about on schedule in dealing with a number of items. Some major items on which attention is being focused are China and Southeast Asia. Work on a PRM on China will be completed within the next three weeks, and Mr. Vance plans a China trip in the second week of August if the Chinese agree to the proposed schedule.

3. Mr. Andrus reported that the Senate passed the strip mining bill last Friday. He described the Administration's position in the forthcoming Senate/House conference on the legislation as "excellent" since both the Senate and House bills are good ones.

4. The President suggested that Cabinet members read the foreign policy speech he delivered yesterday at the Notre Dame commencement.

-- He and representatives of other Cabinet departments are beginning a new round of total economic forecasting -- beginning with a preliminary look at the FY '79 budget.

-- Ms. Kreps said that she is concerned with a tapering off of economic activity. The Consumer Price Index rose in April, but real earnings remained the same. Recent surveys show that personal savings are down. Corporate profits are up but reflect primarily inventory building. Industrial production is down. She is concerned that we may be overstating the real buoyancy of the economy. In response, Mr. Schultze said that he is somewhat more optimistic than Ms. Kreps, but that, in any event, the joint project to prepare a total economic forecast should yield more accurate figures. He expects the forecast to be completed by mid-June.

-- The President said he hopes for 2-3% annual growth in state and local government spending, although we may not achieve it. He added that the major stimulating effect of the economic package will occur just when we need it most. Mr. Marshall emphasized the need to explore alternative ways to stimulate the economy should we not meet our economic targets.

8. Dr. Brzezinski commended the White House speech writers and Deputy Secretary of State Warren Christopher for their work preparing the President's Notre Dame speech. He said that the speech reflects an ongoing effort to reassert the moral and political leadership of the United States -- perhaps for the first time in fifteen years.

-- This past week, the NSC gave staff support to Mr. Vance's efforts in Geneva and to the President's meeting with members of the Senate on SALT. Dr. Brzezinski gave additional briefings to Senators Byrd and Jackson on SALT.

-- Dr. Brzezinski described an NSC meeting on the Law-of-the-Sea negotiations in which an "ingenious" proposal was developed to apportion the mineral wealth beneath the seas in a fashion which protects underdeveloped countries.

-- NSC is working with State and Defense on follow-up to the International Economic Summit in London. Dr. Brzezinski commended Henry Owens for his outstanding work on the Summit.

-- NSC staff member Jessica Tuchman briefed the press last week on the President's recently announced policy on arms transfer.

-- Dr. Brzezinski has begun having regular meetings with other senior members of the White House staff to discuss current foreign affairs issues.

9. The President said he is recognizing more and more the need to include Congressional leaders in timely consultations on a broad range of issues. He cited the excellent results of Mr. Vance's recent briefings of Congressional leaders on his meetings with Foreign Minister Gromyko. The President stressed the importance of including members of Congress in the Administration's policy formulation processes.

10. Mr. Marshall said that the International Labor Organization (ILO) conference opens in Geneva next week. He has announced the U.S. intention to withdraw unless some changes are made. He described the ILO's use of a double standard with respect to implementing its conventions. He said that the situation does not look encouraging now, and that the position of the Arab countries is critical. He suggested that the President raise the problem with Prince Fahd.

11. The President said that what Ambassador Young is doing in Europe and Africa in his meetings and discussions concerning human rights and race relations has the President's strong support. He described Mr. Young as a committed and courageous man with a deep sensitivity to the concerns and consciousness of the peoples of the Third World and a sure sense of their attitudes towards the U.S. The President commented that Mr. Young's work has contributed greatly to establishing the basis for durable relationships with Ghana and Nigeria. The President noted that understanding and "relating" well with the two-thirds of the world "who are hungry" is one of the most important long-range goals on our national agenda.

12. The President said that when the Vice President returns from his trip abroad he will continue to work on the Administration's voter registration bill.

-- The President summarized the Vice President's trip which concludes this evening.

-- The Vice President first visited the new democracies in Spain and Portugal. The President said that he is eager to see both these countries take an active role in NATO. Portugal is already a member and Spain may become one sometime after its June elections. Sometime soon, both may also be members of the European Economic Community.

-- The Vice President then traveled to Vienna where he met with Chancellor Kreisky and South African Prime Minister Vorster. The President described both the Vice President and Prime Minister Vorster as strong debaters, and said that their discussions cleared the air.

-- The Vice President went on to Yugoslavia where he reaffirmed our commitment to that nation in a visit with Marshal Tito, and underscored the importance we attach to the Belgrade conference in the fall on the Helsinki CSCE Accords, of which we are a signatory.

-- Today, the Vice President reports to the British on his trip and then returns home.

13. Mr. Carswell said that Mr. Blumenthal is in Tokyo for an international monetary conference. He leaves this weekend for Guatemala City to attend the Inter American Development Bank Conference.

-- Mr. Carswell commented briefly on the fiscal situation in New York and observed that it continues to be uncertain and difficult.

14. Mr. Bergland stressed the need for a higher degree of international order regarding commodities. The United States continues to be whipsawed by events over which we have no control. Agriculture and State are working on a proposal for an international stocks arrangement scheme to be presented at the International Food Conference in Manila this summer. An example of the problem is that the United States has a bumper wheat crop this year and no buyers, since wheat crops worldwide have done well.

-- Mr. Vance said that what Mr. Bergland proposes to do in Manila is an enormously important initiative. Dr. Brzezinski added that it will be of substantial significance in terms of North/South relationships.

-- Mr. Bergland will prepare a memorandum for the President on this subject after consultation with Mr. Vance, Dr. Brzezinski, Mr. Schultze and others.

-- The Senate takes up the Farm bill today. Senator Muskie will introduce an amendment to reduce the 1977 target price to the House level. The House bill will not come to the floor until July.

-7-

15. Ms. Harris said that assisted housing starts are up, and that HUD now expects to meet its FY '77 targets in new and substantially rehabilitated assisted housing. She noted that women have been appointed as heads of the two most important housing programs in the Department.

-- HUD is closing loopholes in its regulatory procedures to ensure that there is no improper self-dealing. One initiative taken is to keep public records of all persons coming in and out of HUD offices.

-- The President said that he is still concerned about the high levels of staff to client ratios, such as is the case in Manchester, New Hampshire. Ms. Harris replied that offices such as Manchester would be taken care of, but that HUD was being careful to minimize political problems resulting from elimination or reduction in size of local office.

16. The President said that he had received a series of important recommendations on federal regional offices from Jack Watson, Harrison Wellford and the Under Secretaries Group at a briefing on Friday. He expressed his general agreement with the proposals made and has asked Mr. Watson to distribute them to the Cabinet members for their comments.

17. Dr. Schlesinger said that the Department of Energy bill passed the Senate last week, and will go before the House on June 2nd. An enrolled bill may be on the President's desk by the end of June.

-- He said that much of the energy plan legislation, aside from its tax features, is likely to move through Congress this summer. The House needs to act first on the tax features, and Senator Long is still ambivalent about them. Dr. Schlesinger suggested that the President signal his continuing personal interest and involvement in the plan -- perhaps by going out into the country to discuss the proposals with the people. He suggested Ohio as a good state to visit because of its extremely cold winter and related energy problems this year.

-- He also recommended that the President invite key House committee members to the White House to discuss the breeder reactor legislation.

18. Mr. Costle said that he will testify three times this week on coal conversion -- before Senator Jackson, Senator Muskie and Congressman Dingle.

19. Mr. Lance urged that Presidential appointees get more involved in zero-based budgeting. A commitment to the process from top management is essential if it is to work.

-- The President said he objects strongly to quiescent violation of Administration policy by subordinates. He welcomes disputes, arguments, debates and dissent, but once a policy is decided, he wants it carried out.

20. Mr. Butchman said that Mr. Adams is in London at the Intergovernmental Maritime Consultative Organization session and that he will be back tonight.

21. Mr. Brown spent the early part of last week in Europe at a NATO Defense Ministers meeting, which he described as a very substantive meeting.

-- A subcommittee of the House Arms Services Committee is holding a hearing on a minor DOD reorganization proposal to eliminate certain Assistant Secretary positions in the office of Secretary of Defense. If the reform works, he intends to duplicate it in the military departments.

-- He briefly described the significance of the President's meeting this past weekend with Major General Singlaub. A hearing is scheduled for Wednesday by the Investigation Subcommittee of the House Arms Services Committee on the Singlaub matter.

-- There has been some reaction on arms transfers from contractors who make and sell arms abroad. Under Secretary of Defense Charles Duncan gave a speech last Friday to the aerospace industry, and faced the issue head on. In brief, while we are fully cognizant of the economic benefits to be derived from such sales, these benefits are subordinate to certain foreign policy concerns. As is true of so many complex issues, we must constantly seek to strike proper balances between competing aims and interests.

-- Mr. Brown said that the public perception regarding response to the discharge up-grade program is somewhat misleading. 173,000 persons received undesirable discharges related to the Viet Nam period, and 11% of these have already made inquiries with respect to the discharge up-grade program within the first six weeks of the program's operation. The inquiries reflect a relatively uniform geographic and racial distribution, although the urban response is somewhat higher. It is too early to reach any definitive conclusions about the response, but a good start has been made.

22. The President said that he is sending a comprehensive environmental message to the Congress today. He described it as a far-reaching and thorough message and asked Cabinet members to study it.

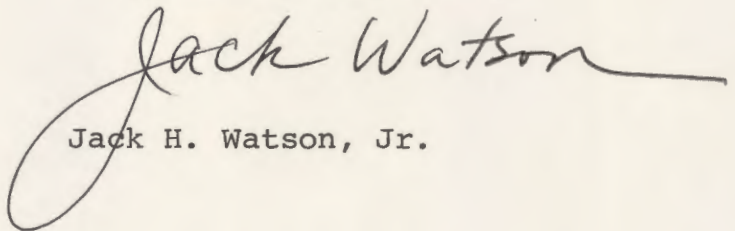
23. The President said that he will leave late Thursday for Georgia. On Friday he will join Admiral Rickover on a nuclear submarine off the coast of Florida. He will spend Saturday and Sunday in Georgia, and on Monday, Mrs. Carter will leave from Georgia for her ten-day trip to Latin America. He would like to have a brief weekly summary from each Cabinet member by Thursday noon, and reiterated how valuable the weekly summaries are to him. He reminded Cabinet members that there will be no Cabinet meeting Monday, May 30.

24. The President stated his belief that the handling of the Major General Singlaub issue was appropriate. Singlaub was not discharged (as the papers reported) and, indeed, was quite contrite and respectful in his meeting with the President. General Singlaub emphasized that he had no intention to be insubordinate or disloyal. The President accepted the General's apology but concluded that, because of his public statements, it would not be wise to leave him in South Korea. The President emphasized that our posture in South Korea will provide adequate defense, and that we will continue our close consultation with our allies in that part of the world.

25. Mr. Watson reminded Cabinet members of the Congressional reception tomorrow at the Botanic Gardens from 6 p.m. to 8 p.m. in honor of the Cabinet. The President and he urged attendance by the Cabinet.

The meeting was adjourned by the President at 10:40 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jack Watson". The signature is written in dark ink and has a long, sweeping horizontal line extending to the right.

Jack H. Watson, Jr.

THE WHITE HOUSE
WASHINGTON

from

J. W.

re Cabinet
minutes

15. Ms. Harris said that housing starts are up, and that HUD will meet its targets in assisted housing. She noted that women are running two of the most successful housing programs in the Department.

-- HUD is closing loopholes in its regulatory procedures to ensure that there is no improper self-dealing. One initiative taken is to keep public records of all persons coming in and out of HUD offices.

-- The President said that he is still concerned about the low level of approved clients for HUD-assisted housing. Ms. Harris commented on some political problems that hamper the approval process and said that the Departmental staff are continuing to work on ways to improve it.

16. The President said that he had received a series of important recommendations on federal regional offices from Jack Watson, Harrison Wellford and the Under Secretaries Group at a briefing on Friday. He expressed his general agreement with the proposals made and has asked Mr. Watson to distribute them to the Cabinet members for their comments.

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19. Mr. Lance urged that Presidential appointees get more involved in zero-based budgeting. A commitment to the process from top management is essential if it is to work.

THE WHITE HOUSE
WASHINGTON

May 23, 1977

Jack Watson

For your information, the attached memo and your decision memo of May 19, 1977 concerning The Federal Regional Presence were returned in the President's outbox without notation.

Rick Hutcheson

Re: Meeting on The Federal
Regional Presence

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

May 19, 1977

MEMORANDUM FOR: The President
FROM: Jack Watson *Jack*
SUBJECT: Review of the Federal Regional Presence

At your request, Harrison Wellford and I have conducted a review of the federal regional presence nationwide. Through a series of meetings in Washington, Seattle, Portland, San Antonio, and Boston--and in response to a widely-distributed options paper--we have received substantial input from:

- o the Under Secretaries of all major federal departments;
- o the top intergovernmental relations staff of the departments;
- o the Public Interest Groups;
- o Governors;
- o Mayors;
- o Councils of Government;
- o Chairmen and executive directors of the federal regional councils; and
- o regional directors of several federal departments.

On the basis of this outreach effort, and after reviewing the previous studies on the subject conducted by OMB, GAO, ACIR and others, it is clear that the organizational structures and operating procedures of the federal government in the field are frustrating much of the creative initiative coming from the state and local governments and reducing the positive effects of the \$70 billion spent on federal aid to state and local governments each year.

Factors which contribute to this basic problem include:

- o a great unmet need for effective interagency coordination in the field;
- o uncoordinated and contradictory federal aid rules and regulations;

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- o poor communication between Washington and field offices;
- o inadequate interaction of states and communities with Federal field offices;
- o overlapping and conflicting federal regional organizations; and
- o lack of clear mission and authority for departmental regional offices and the Federal Regional Councils.

Solution of some of these problems is dependent on changes in the law, in federal regulation, and in the organizational structures and procedures of the agencies in Washington. Still, an effective coordinating capacity in the field could make a significant difference. The Federal Regional Councils are the main federal coordinating bodies now in place in the field. The FRCs have the following fundamental problems:

- o Part-time Chairperson, also serving as regional director of an agency
- o Chairperson has an agency perspective
- o Chairperson really reports only to his Cabinet Secretary
- o Inadequate direction from the President
- o Staff is comprised of agency detailees, resulting in high turnover and mixed levels of competence
- o Too many departments are members of the FRC to permit effective action on a shared agenda
- o Unequal delegation of authority by the departments to their regional offices

A chart giving the key characteristics of the FRCs and the other principal federal interagency and intergovernmental coordinating bodies is attached.

SUGGESTED REFORM OF THE FEDERAL REGIONAL ORGANIZATIONS

Organization

- Recommendations:
- o Eliminate the ten Federal Regional Councils
 - o Eliminate the 26 Federal Executive Boards
 - o Create a single core group of federal regional directors under the Chairmanship of a Presidential Appointee not associated with any department.
 - o The core group would be supplemented with state and local members for certain clearly-defined activities and by other federal departments as determined necessary by the Chairman.
 - o Name the new entity the Regional Coordinating Council (RCC)

Impact: The elimination of the FRCs and the FEBs in favor of a new, smaller coordinating unit in the ten headquarters cities would simplify the federal field structure, save money, and eliminate the need to maintain large staffs and organizational structures on a "stand-by" basis.

Mission of the RCC

- Recommendations: The RCC would have two closely-related concerns:
- o Interagency Coordination (including EEO standardization and compliance, audits of recipient governments' use of federal funds, long-term adjustment and recovery after base closings and natural disasters, regional implementation of national energy plans)
 - o Intergovernmental Management (including joint funding applications, A-95 review, state/local management improvements, etc.)

Impact: It is important to recognize the fundamental interagency role to be played as a complement to what has in the past been viewed as mainly an intergovernmental body. Identification of the twin missions would also highlight the need for many of the problems which develop in the field to be settled not only by dealing with state and local governments but by dealing with the Washington headquarters and the White House, by means of the Chairman of the RCC through the Under Secretaries Group.

Chairmanship

Recommendations: The RCC should be headed by an independent Chairperson screened by the Under Secretaries Group, named by the President. The Chairperson would:

- o be a neutral convener, problem identifier, and liaison with the public, state and local officials and the White House;
- o not have the authority to waive departmental practices or regulations;
- o work in the headquarters cities of the standard federal regions;
- o decide on the membership of the core RCC group for his/her region;
- o preside over the RCC;
- o convene ad hoc working groups of federal regional officials as necessary;
- o be available to serve as the President's representative on other regional panels and groups;
- o select a Vice Chairperson from among the core group of federal regional directors. That person would preside in the absence of the Chairperson and his/her department would house the Chairperson and the RCC staff; and
- o report to the President through the Assistant to the President for Intergovernmental Relations and to the Cabinet through the Under Secretaries.

- Impacts:
- o An independent Chairperson would be able to work full time on cross-cutting problems in the region, unencumbered by departmental operating responsibilities.
 - o Because of the Chairperson's ability to convene ad hoc working groups, it would be possible to eliminate standing groups which are only sporadically useful.
 - o The size of the core RCC group can be reduced from the FRC membership since additional federal participants can be included as determined by the Chairperson.
 - o The RCC could meet less frequently than did the FRC since the group would be available by call of the Chairperson.
 - o Whereas the current FRC Chairperson effectively reports only to his/her Cabinet Secretary, the Chairperson of the RCC would have clear reporting obligations and access to the President through the Assistant to the President for Intergovernmental Relations.
 - o In the past there has been Congressional and Departmental opposition to the placement of a "President's Man" in the field. While this recommendation will take some selling in the Congress, the particular set of responsibilities proposed here should be less threatening than past formulations. The accompanying proposals for cutting back on other regional structures and staffs should also be a selling point. We have developed departmental support for this proposal among most of the directly affected departments and the removal of several FRC member departments from the RCC core group should be attractive to most of the remaining departments.

Membership

Recommendations: Federal Participation--The core group of federal departmental participants would be selected for each region by the Chair to fit the region's needs. Almost certainly that core group would include most of the following: HEW, HUD, DOT, EPA, Commerce, Energy, and Labor. Additional members would be included on a project-by-project basis.

State and Local Participation--For purposes of determining the annual work plan and in order to deal with the clearly intergovernmental items on the RCC work plan, the core group would be expanded to include the following:

- o One Governor chosen by the Governors in the region.
- o One State Legislator chosen by the presiding officers of the state legislators in the region.
- o The President of one of the state municipal leagues in the region.
- o The President of one of the state county associations in the region.

Impacts: Reduction in the number of regular federal participants would increase the incidence of truly common concerns among the residual core group and eliminate the need for wasteful regular participation by several departments with only occasional involvement with the FRC agenda items.

State and local participation in determining and addressing those parts of the RCC work plan which are truly intergovernmental brings the appropriate actors together for the first time in a regular operating entity. It reflects the fact that state and local participation is essential to the implementation

of most federal programs. Such state and local participation may provide a regular channel for getting state and local comment on proposed federal actions (thereby serving as an alternative to the A-85 process and part of A-95).

Staffing

- Recommendations:
- o In addition to the Chairperson, the only permanent staff required would be an Executive Assistant to the Chairperson and a secretary.
 - o The Chairperson could draw on the staff of the core departments to supplement the permanent staff on a project-by-project basis and with the approval of the relevant departmental regional directors.

- Impacts:
- o The recommendation represents a significant reduction from the size of the current FRC staff. While the FRC has no permanent full-time staff of its own, the average FRC has about ten full-time detailees from member departments.
 - o The quality of the staff would be increased because there would be a core permanent staff accountable to the Chairperson and because the Chairperson could negotiate for additional "loaned" staff from the departments rather than being required to depend on departmental detailees of mixed competence and uncertain tenure as is now frequently the case.
 - o The personnel reductions resulting from the proposed elimination of the Federal Executive Boards, the FRC detailee staff and the reduction in the Title V Co-Chairpersons' staffs would far more than offset the effect of the 30 positions contemplated in this proposal.

- o Creation of the positions in the Executive Office of the President could be most easily accomplished by incorporating the action in the EOP Reorganization Plan submitted to the Congress. Given the size and scope of the submission, this proposal would not be the focal point of attention and it is most unlikely that the Congress would reject the entire plan because of the RCC positions.

Departmental Changes Necessary to Make this Plan Work

Recommendations: Each department should spell out explicitly the powers and responsibilities of their regional administrators. In those cases where the department continues to maintain decision making responsibility in Washington, clear procedures should be established for departmental sign-off regarding:

- o Regulation waivers
- o Discretionary resource allocation
- o Manpower assignments and exchanges
- o Contract and grant approval/disapproval
- o Budgetary and policy formulation input

Impact: Virtually every problem connected with the federal regional presence is exacerbated by the fact that there is tremendous variety in the delegation of authority from department to department. While much of this variety is explainable by differences in program intent and legal requirements, there must be some closing of the gap and, as an irreducible minimum, greater clarity about what the delegation is and how to get resolution on issues requiring a Washington decision.

Other Regional Organizations

- Recommendations:
- o Reduce the size of the staff of the Federal Co-Chairpersons of the Title V Commissions so that each such person has an Executive Assistant and a secretary.
 - o Explore making the Title V and RCC boundaries coterminous and making the RCC Chairperson also serve as the federal Co-Chairperson of the coterminous Title V.
 - o Explore the possible elimination of the Title II Commissions.
 - o Defer a decision on designation of additional Title V Commissions until additional consultation has occurred with the Governors and the Congress on rationalizing all Title V boundaries and functions.

- Impacts:
- o Although I propose reduction in the Federal Co-Chairman's staff, I do not now suggest any change in the size of the staff serving the Governors. On average, each Title V Commission would continue to have about 15 joint federal/state staff.
 - o The Title V Commissions are much loved by the Governors, mainly because they are a source of discretionary money. The recommended staff cuts would not threaten the availability of the discretionary funds. Exploration of the boundary adjustments would be seen as potentially threatening to some Governors and would have to be approached cautiously both in the states and in the Congress.
 - o Deferral of the decision on pending applications for designation of additional Title V Commissions would get a strong negative reaction from the affected Governors and Congressional delegations. These Governors and Congressmen have shown great interest in the appointments both to Secretary Kreps who must approve the designations and to the White House.

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- o The full impact of elimination of the Title II Commissions requires further study but we do know that there are river basin compacts parallel to the Title II Commissions which seem to be performing as well without federal funds. It is also true that the federal membership of the Title IIs heavily overlaps that of the FRCs and the proposed RCCs.

Attachments

BUDGET IMPACT

Savings from these Proposals

Elimination of Federal Executive Boards	\$ 1,300,000
Elimination of current FRC staff	
Savings to Chairperson's Departments	1,000,000
Savings to Member Departments	2,000,000e
Reduction in Title V Federal Co-Chairmen's staff	<u>1,500,000e</u>
TOTAL	<u>\$ 5,800,000e</u>

Potential Savings from further Title V and Title II Reforms

Elimination of Title II Commissions	\$ 3,100,000
Making Coterminous FRC and Title V Boundaries	<u>Ø</u>
	<u>\$ 8,900,000e</u>

Costs of these Proposals

Chairmen's salaries	\$ 550,000
Staff Salaries	450,000
Administrative Costs and Travel	<u>500,000</u>
	\$ 1,500,000

RECOMMENDED ACTIONS

Eliminate the 10 Federal Regional Councils and establish 10 Regional Coordinating Councils, each under the Chairmanship of a fulltime Presidential appointee. The Chairperson will report to the President through the Assistant to the President for Intergovernmental Relations. The RCC would be composed of a small core group of federal departments designated by the Chairperson and a group of four state and local officials who would participate in setting the agenda and would deal with selected intergovernmental matters. The Chairperson would convene ad hoc interagency working groups in the field as necessary, and generally serve as a link to the state and local governments and the public.

_____ Agree

_____ Disagree

Eliminate the 26 Federal Executive Boards, assigning their essential functions to the RCC Chairperson.

_____ Agree

_____ Disagree

Reduce each Title V Federal Co-Chairperson's staff to two persons from the current levels of 7-9 persons.

_____ Agree

_____ Disagree

Defer a decision on designating additional Title V Commissions but begin to explore ways to rationalize the Title V boundaries in the context of overall economic development objectives. Explore the possibility of eliminating the Title II Commissions.

_____ Agree

_____ Disagree

FEDERAL FIELD STRUCTURES

ORGANIZATION	MISSION	LOCATION	MEMBERSHIP	CHAIRPERSON	STAFF	ADMIN. COST	MEETING FREQ.
Federal Regional Councils (FRCs)	Interagency/inter-governmental program coordination.	Headquarters city in 10 standard federal regions	11 agencies (DOL, DOC, LEAA, EPA, HEW, FEA, HUD, CSA, DOT, DOI, USDA)	Regional director of a member agency.	Executive director and clerical supplied by chairman's agency, plus minimum of 10 agency detailees.	\$3 million nationwide (\$100,000 cost to chairman's agency per region).	Every two weeks. OMB/USG as required.
Federal Executive Boards (FEB)	Coordinates MBOC, bond drives, car pools, etc.	26 metropolitan cities including 10 federal headquarters cities	Senior officials from agencies located in city (up to 35 maximum).	Drawn from membership on rotational basis.	Full-time director and secretary from an agency on a rotational basis.	\$1.3 million nationwide (\$50,000 per city)	Monthly
Title V Commissions (Economic Development)	Prepares regional economic development plans. Conducts research, TA, and supplements other federal programs.	8 commissions covering all or part of 34 states. 6 pending applications would cover the remaining states and Puerto Rico.	All Governors within the regions.	Presidential appointment of full-time federal co-chairperson. One Governor per region selected as State co-chairperson	74 federal; 84 state/federal state (nationwide)	\$5.2 million nationwide (average \$580,000 per comm.)	Quarterly
Title II Commissions (River Basin)	Prepare regional plans for development and management of water resources.	6 Commissions covering all or part of 32 states in northern U.S.	13 federal reps. (DOI, EPA, USDA, DOT, FPC, HUD, DOC, FEA, ERDA, DOD) 32 state reps.	Presidential appointment of full-time federal chairperson.	166 positions (50% feds share)	\$728,000 nationwide (50% feds share)	Quarterly

THE WHITE HOUSE
WASHINGTON
May 20, 1977

The Vice President
Midge Costanza
Stu Eizenstat
Hamilton Jordan
Bob Lipshutz
Frank Moore

The attached is forwarded to you
for your information.

Rick Hutcheson

Re: Meeting on the Federal Regional
Presence.

1:45

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

May 20, 1977

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MEMORANDUM TO: THE PRESIDENT
FROM: Jack Watson *Jack*
SUBJECT: MEETING THIS AFTERNOON ON
THE FEDERAL REGIONAL PRESENCE

As noted in my status report to you on Monday, I will be presenting to you this afternoon the findings and recommendations resulting from our review of the federal regional presence.

The recommendations relate to the Federal Regional Councils, Federal Executive Boards, and, in a preliminary way, the Title V Commissions.

We have been able to develop a consensus among the key White House staff, OMB and the most directly affected departments on the main issues. Attending the 1:45 P.M. meeting in addition to myself will be:

Stu Eizenstat
Harrison Wellford
Hale Champion, Under Secretary of HEW
Jay Janis, Under Secretary of HUD
Anne Wexler, Deputy Under Secretary
of Commerce
Bob Hall, Assistant Secretary of
Commerce for Economic Development
Larry Gilson of my staff
Vince Puritano of the OMB staff

Attached is a decision memorandum on the subject which provides more detail than will be possible in the oral presentation.

Because of the adverse effects of continued uncertainty in the field and the need to integrate these decisions into the overall EOP reorganization, early resolution of these issues is especially important.

Attachment